

RECREATIONAL DREDGING AND SLUICING APPLICATION

**JOINT PERMIT APPLICATION FORM
U.S. ARMY CORPS OF ENGINEERS - FOR SECTIONS 404 AND 10
UTAH STATE ENGINEER'S OFFICE - FOR NATURAL STREAM CHANNELS**

Application Number _____

Recreational dredging and sluicing is: (1) the operation of one vacuum or suction dredge with an intake diameter of 4 inches or less, having a rating of 12 HP or less; or (2) the use of hand-operated sluice equipment and/or related hand tools. Dredging and sluicing activity with either hand-operated or mechanized equipment, must occur beneath the existing water surface of an active stream channel or upon nonvegetated sand and gravel bars exposed within the active stream channel for a period not to exceed 45 days annually. (Activities in excess of the conditions stipulated in this permit will require other forms of permitting. Please contact the Division of Water Rights, the Division of Oil, Gas and Mining, or the appropriate Federal land management agency for more information).

Note: No permit is required when prospecting is conducted beneath the existing water surface of an active stream channel and no mechanized or sluice equipment is used (hand tools and a pan may be used).

Applicant's Name (Last, First, M.I.)	Telephone: Area Code & Number
Applicant's Address (Street, RFD, Box Number, City, State Zip)	
Description of Equipment. Only one piece of equipment can be used at a time. <ul style="list-style-type: none"> <input type="checkbox"/> Dredge(s) with an intake nozzle less than or equal to four(4) inches, and HP rating of 12HP or less. <input type="checkbox"/> Hand operated sluice box with a throat width of 48 inches or less. <input type="checkbox"/> Auto panner. <input type="checkbox"/> Rocker box. 	

Application is hereby made for a permit or permits to authorize the activities described herein. I certify that I am familiar with the information contained in the application, and that to the best of my knowledge and belief such information is true, complete and accurate. I agree to abide by conditions 1 through 14 of this application.

Signature of Applicant (Must be signed to be valid)_____
Date**Send the completed application to:**

**Utah State Department of Natural Resources
Division of Water Rights
1594 West North Temple, Suite 220
Box 146300
Salt Lake City, Utah 84114-6300**

Phone: 801-538-7414

DO NOT WRITE IN SPACE BELOW

This application is approved pursuant to the requirements of Section 73-3-29 of the Utah Code Annotated, 1953 as amended. Approval of this permit application also constitutes compliance with Section 404(e) of the Clean Water Act (33 USC 1344) pursuant to General Permit 040 issued to the State of Utah by the U.S. Army Corps of Engineers on October 15, 1987; compliance with 43 CFR 3809.1-2 and 3802.1-2; and compliance with 36 CFR 228 A.

This Permit is valid through April 1, 20____, and subject to the attached "conditions of approval".

This Permit is subject to the provisions of Rule R655-6 of the Division of Water Rights and to Sections 63-46b-13 and 73-3-14 of the Utah Code Annotated, 1953 as amended, which provides for filing either a Request for Reconsideration with the State Engineer, or an appeal with the appropriate District Court. A Request for Reconsideration is not a pre-requisite for a court appeal. A court appeal must be filed within 30 days after the date of this Decision, or if a Request for Reconsideration has been filed, within 30 days after the date the Request for Reconsideration is denied. A Request for Reconsideration is considered denied when no action is taken 20 days after the Request is filed.

Issued this _____ day of _____, 20__

Signed _____
Jerry D. Olds, P.E., State Engineer

CONDITIONS OF APPROVAL

The applicant is hereby authorized to dredge and sluice in accordance with the conditions as set forth on this permit and the Minimum Standards/Rules for Stream Channel Alterations within the State of Utah and in conformance with the attached list of streams which are available for dredging and sluicing under this permit.

1. ***THE PERMIT HOLDER MUST HAVE A COPY OF THIS PERMIT AT THE DREDGING AND SLUICING SITE AND AVAILABLE FOR INSPECTION AT ALL TIMES.***
2. This permit is not transferable. The permittee must be at the work site at all times when work is being conducted. To avoid excessive impacts, this permit is not valid for prospecting groups with more than four (4) people actively digging (larger group outings will require a "Joint Permit Application Form for Natural Channels" to be filed with this office).
3. This permit **does not** constitute any of the following:
 - a. An easement or right-of-way to trespass across or work upon property or mining claims belonging to others.
 - b. Other approvals that may be required by local, state or federal government.
 - c. Acceptance by the Division of Water Rights of responsibility for damage to areas dredged or to adjacent properties.
4. Dredging shall be conducted in a manner such that the return water from the dredge does not increase the turbidity of the stream further than forty (40) feet below the dredging operation, or have adverse impacts upon the water quality or stream channel stability.
5. Use of equipment with a nozzle diameter in excess of 4 inches, or equipment capacity in excess of 12 horsepower is a violation of this permit.
6. All refuse, chemicals and petroleum products shall be stored and maintained 30' away from the stream and disposed of away from the site in an approved waste disposal facility. No petroleum products or chemicals shall enter the stream at any time.
7. This permit specifically **prohibits** the following activities:
 - a. Disturbance of any stream bank or undercut stream bank areas.
 - b. Hydraulic mining operations of any type, such as highbanking which washes material from the bank into the water.
 - c. Damming of a stream channel for any reason.
 - d. Using winches to move boulders or large woody debris which cannot be moved by hand. Removal of boulders or large woody debris from the stream bed to the bank.
 - e. Deposition of discharge material to redirect stream current.
 - f. Removal or discharge of material from outside the existing water surface.
 - g. Use of mercury or other processing/extractive chemicals.
8. No power equipment shall be operated within 500 feet of a developed campground or state park.
9. Dredging shall not be conducted within 100 feet of a bridge support, nor shall dredging interfere with any existing habitat improvement structures, stream channel improvements, gauging stations, or diversions.
10. No dredging is permitted in streams that contain threatened or endangered fish or amphibian species, or streams designated as critical habitat for such species.
11. All sites must be accessed by existing trails or roads, unless other appropriate permits are acquired (see travel plan maps at land management offices listed).
12. Anchorage systems may not restrict water craft; free, unobstructed access to boaters must be allowed.
13. Violation of any condition of this permit may result in cancellation of this permit without further notice.
14. Prospecting and camping areas should be left clear of all litter and refuse. Pack it in! Pack it out!

List of Streams available for Recreational Dredging and Sluicing (RD&S) with valid Utah RD&S Permit - 2004
**** - You MUST check the box on the right hand column for streams which you will most likely be working on.**

List of Streams available for Recreational Dredging and Sluicing (RD&S) with valid Utah RD&S Permit - 2004 - The 04-05 stream list additions are still under review by the BLM. This listing will be updated following submittal of these reviews.

Note: This permit does not constitute an easement or right-of-way to trespass across or work upon property or mining claims belonging to others. The responsibility to contact property owners or mining claim holders for permission to enter upon their lands is left to the permittee. Please contact the land management agency indicated regarding travel and access.

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Stream Name & Map Number	County-Township & Range Location Description	Months Open to RD&S	Land Management Agency	Comments	** Check Box
Johnson Creek (1)	Box Elder Co. - T14N, T15W, 2 Mi. West of Yost	Aug. 1 to Dec. 31	USFS-Sawtooth N.F. Burley Ranger District (208) 678-0430	Contact the Wildlife Resource Habitat Manager or Habitat Biologists at: (801) 476-2776 before beginning activity.	
George Creek (2)	Box Elder Co. - T14N, R14W, ½ Mi. West of Yost	Aug. 1 to Dec. 31	USFS-Sawtooth N.F. Burley Ranger District (208) 678-0430	Contact the Wildlife Resource Habitat Manager or Habitat Biologists at: (801) 476-2776 before beginning activity.	
Three Mile Creek (Perry Canyon) (3)	Box Elder Co. - T8N, R1W, Mouth of Canyon is ½ Mi. South of Perry	Year Round	USFS-Wasatch-Cache N.F. Ogden Ranger District (801) 625-5112	Contact the Wildlife Resource Habitat Manager or Habitat Biologists at: (801) 476-2776 before beginning activity.	
North Willow Canyon & Davenport Canyon (4)	Tooele Co. - T4S, R7W, 3 Mi. South of Grantsville. Take Grantsville Reservoir Access Road.	June 16 to Oct. 14	USFS-Wasatch-Cache N.F. Salt Lake City Ranger Dist. (801) 524-5042	No RD&S is permitted within the Deseret Peak Wilderness Area. All RD&S limited to USFS land. Contact the Wildlife Resources Habitat Manager or Habitat Biologist at (801) 491-5678 before beginning activity.	
Mary Ellen Gulch, Major Evans Gulch, Shaffer Fork & Dry Fork (5)	Utah Co. - T3S, R3E, Take Alpine Exit off I-15 East to Canyon Mouth, Take North Fork to Mineral Basin Road	July 1 to Oct. 14	USFS-Uintah N. F. Pleasant Grove Ranger Dist. (801) 785-3563	Contact the Wildlife Resources Fisheries or Habitat Biologist at (801) 491-5678 before beginning activity.	
Blind Stream - South Slope of Uinta Mtns. (6)	Duchesne Co. - T1N, R8W, UBM near Hanna	Year Round	USFS - Ashley N.F. Duchesne Ranger Dist. (435) 738-2482	Contact private property owners regarding access. Stream dry in late summer.	
Smith Creek Snake Valley (7)	Millard Co. - T17S, R20W, 9 Mi. S.W. of Gandy	Year Round	BLM - Fillmore Field Office House Range Resource Area (435) 743-3100	Stream dry in late summer.	
Hampton Creek Snake Valley (8)	Millard Co. - T18S, R20W, 12 Mi. S. of Gandy	Year Round	BLM - Fillmore Field Office House Range Resource Area (435) 743-3100	Stream dry in late summer.	

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Wilson Creek Upstream of Confluence with Fish Creek - Tushar Mtns. (9)	Sevier Co. - T27S, R5W, 10 Mi. East of Cove Fort on I-70	Year Round	USFS-Fishlake N.F. Beaver Ranger District (435) 438-2436		
Millcreek and Tributaries Upstream of Confluence with Joe Lott Creek - Tushar Mtns. (10)	Sevier Co. - T26S, R4½W, Sections 7, 8, 9, 19 - 13 Mi. East of Cove Fort on I-70	Year Round	USFS-Fishlake N.F. Beaver Ranger District (435) 438-2436	Mineral lease required to work in State owned Section 36, T26S, R5W, & Section 32, T26S, R4W, SLB&M - call (801) 538-5100. No RD&S activity allowed within Fremont Indian State Park. Respect posted mining claims.	
Indian Creek Tushar Mountains (11)	Beaver Co. - T27S, R6W, 5 Mi. North East of Manderfield	Year Round	USFS-Fishlake N.F. Beaver Ranger District (435) 438-2436	Mineral lease required to work in State owned Section 36, T27S, R7W, SLB&M. For State Mineral Lease information, call (801) 538-5100.	
Pine Creek Bullion Canyon - Tushar Mtns. (12)	Piute Co. - T27S, R4W, 4 Mi. Southwest of Marysville	July 16 to May 14	USFS-Fishlake N.F. Beaver Ranger District (435) 438-2436	To protect native fish no RD&S activity is permitted above Bullion Falls. Respect posted mining claims.	
Crescent Creek Henry Mountains (13)	Garfield Co. - T31S, R11E, 24 Mi. South of Hanksville	Year Round	BLM Henry Mtn. Field Station (435) 542-3461	Mineral lease required to work in State owned Section 36, T31S, R10E, & Section 36, T31S, R11E, SLB&M - call (801) 538-5100. Contact BLM Henry Mountain Resource Area at (435) 542-3461 before beginning. Stream may be dry in late summer. Respect posted mining claims.	
Recapture Creek (14)	San Juan Co. - T36S, R23E, 3 Mi. East of Blanding	July 15 to April 15	BLM Monticello Field Office (435) 587-1500	Mineral lease required to work in State owned N 1/4 of Section 11, T36S, R22E, SLB&M. For State Mineral Lease information, call (801) 538-5100. Respect posted mining claims.	
Montezuma Creek (15)	San Juan Co. - T36S, R24E, 13 Mi. East of Blanding	Year Round	BLM Monticello Field Office (435) 587-1500	Mineral lease required to work in State owned Section 2, T36S, R24E, & Section 2, T37S, R24E, SLB&M. For State Mineral Lease information, call (801) 538- 5100.	
East Fork of Beaver Dam Wash (16)	Washington Co. T39S, R19 & 18W, 27 mi. Northwest of St. George below Arsenic Gulch and above Butcher Knife Canyon	Year Round	BLM St. George Field Office (435) 688-3200	To protect native fish and birds, all RD&S activities are limited to section between Arsenic Gulch and Butcher Knife Canyon. Respect posted mining claims.	
Indian George Wash (17)	Millard Co. T15S, R19W Secs. 19, 29, 30, 32; R20W Sec. 24, 2 mi. Northwest of Gandy.	Year Round	BLM Fillmore Field Office (435) 743-3100	Stream dry in late summer.	

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Hendry's Creek (18)	Millard Co. T18S, R19W, Secs. 29 & 30; R20W Sec. 25, 16 mi. South of Gandy.	Year Round	BLM Fillmore Field Office (435) 743-3100	Stream dry in late summer.	
North Canyon (19)	Millard County Secs. 28, 29, 30; T18S, R14W	Year Round	BLM Fillmore Field Office (435) 743-3100	Stream usually flowing in spring months only. Mineral lease required to work in State Section 2, T19S, R14W, and State Section 36, T18S, R14W. For State mineral lease information call (801) 538- 5100. Respect posted mining claims.	
Willow Creek (20)	Juab County Portions of Secs. 3, 4, 10; T12S, R1E - Southeast of Mona	May 2 to Nov. 29	USFS - Uintah National Forest Spanish Fork Ranger District (435) 623-2735	No RD&S Activities are allowed in the Mt. Nebo Wilderness Area. Contact the USFS for boundary descriptions at Willow Creek.	
Straight Creek (21)	Garfield County - T33S, R10,11E, on the Southeast slope of Mt. Pennel – Henry Mts.	Year Round	BLM Monticello Field Office (435) 542-3461	Contact BLM Henry Mountain Resource Area at (435) 542-3641 before beginning. Stream may be dry in late summer. Respect posted mining claims.	

NOTE: **The entire Utah stretch of the Green, Colorado and San Juan Rivers are closed to activity under this RD&S application due to Threatened and Endangered Aquatic Species. Contact the Division of Water Rights (801) 538-7414 for different permitting requirements regarding activities along these rivers.**

General Permit Closure Criteria for Recreational Dredging Permit

The following criteria were developed by the interagency committee to address those reaches or sections of streams to be closed off to recreational dredging under the state-wide, general Recreational Dredging and Sluicing (RD&S) Application. These criteria will be applied to all streams within the State of Utah in order to determine which reaches or sections of streams are closed for recreational dredging under the recreational dredging permit. Streams closed to recreational dredging may be available for dredging/mining under other existing permitting processes. The closure criteria are as follows:

1. Areas of critical habitat for aquatic and terrestrial Threatened and Endangered species are off-limits year round. Areas of seasonal use by Threatened and Endangered aquatic or terrestrial species are off-limits during their period of use.
2. Areas where candidate or state sensitive aquatic and terrestrial animal species are located are proposed to be off-limits during periods of use by the species. Candidate plant species habitat is off-limits year round until it can be determined that the activity would not cause the plant species to be listed as threatened or endangered.
3. Division of Wildlife Resources Class I waterways are proposed to be off-limits year round. Class II and high value waterways are proposed to be off-limits seasonally. High value waterways are important for spawning or rearing, or are highly productive for fish. Times of closure would correspond to spawning and periods of peak recreational fishing.
4. Land management agencies will determine limitation on RD&S activities in multiple use areas in accordance with their resource management plans.
5. Designated or Nominated Wild and Scenic waterways are off-limits year round.
6. Designated Wilderness Areas, Wilderness Study Areas, and BLM Designated Areas of Critical Environmental Concern are off-limits year round.
7. Designated Municipal Watersheds are off-limits year round (listing to be provided by USFS).
8. National Parks and National Monuments are off-limits year round.
9. Designated Indian Reservation Lands and Indian Trust Lands, including lands in dispute, are off-limits year round.
10. All state owned waterways, state parks and school sections are off-limits year round, unless the operator has obtained a mineral lease.
11. Areas designated as closed to off-road vehicle use as defined in 43 CFR 8340 are off-limits year round.

These criteria would close an area to dredging activities under the general Recreational Dredging and Sluicing permit, and be utilized when evaluating joint permit applications which involve dredging or sluicing on natural streams under other permit processes.